

IN THE CLAIMS

Please amend the claims as follows:

7. (currently amended) A ~~method~~ process of preparing a water-in-oil emulsion comprising adding a demulsifier to a component of an emulsion composition, said demulsifier acting to reverse at least 30% of a water-in-oil phase of said emulsion composition within one minute after said emulsion composition has been introduced into water at 36°C,

wherein said emulsion composition comprises an aqueous phase ~~based on~~ comprising water and an oil phase, ~~said oil phase comprising at least one component selected from the group consisting of fats, oils, or mixtures thereof,~~

~~wherein said oil phase comprises at least one diglyceride, oil, fat or mixture thereof and at least one flavor component, and~~

~~said oil phase is~~ comprising at least 15% by weight based on a total weight of said ~~composition~~ oil phase, of diglyceride; and at least one flavor component and 0.01 to 5 wt.% of said demulsifier

wherein said demulsifier is at least one member selected from the group consisting of a polyglycerol fatty acid ester having HLB of 7 or more, a water soluble decomposed protein, a sucrose fatty acid ester having an HLB of 5 or more, a monoglyceride organic ester having an HLB of 8 or more and a sorbitan fatty acid ester having an HLB of 8 or more.

8. (currently amended) The ~~method~~ process as claimed in Claim 7, wherein said oil phase comprises 15-90% by weight of at least one diglyceride and 85-10% by weight of at least one triglyceride, and

said composition comprises 0.05-20% by weight of the flavor component and from 0.01-5% by weight of the demulsifier.

9. (currently amended) The ~~method~~ process as claimed in Claim 7, wherein a weight ratio of the aqueous phase to the oil phase ranges between 80:20 and 15:85.

10. (cancelled)

11. (currently amended) A water-in-oil emulsion composition comprising an aqueous phase ~~based on~~ comprising water and an oil phase, ~~said oil phase comprising at least one member selected from the group consisting of fats, oils or mixtures thereof and comprises 15-90% by weight of at least one diglyceride and 85-10% by weight of at least one triglyceride, and~~

said composition comprises 0.01-5% by weight of a demulsifier and 0.05-20% by weight of at least one flavor component,

wherein at least 30% of said composition is capable of reversing in phase within one minute after being introduced into water at 36°C and

wherein said demulsifier is at least one member selected from the group consisting of a polyglycerol fatty acid ester having HLB of 7 or more, a water soluble decomposed protein, a sucrose fatty acid ester having an HLB of 5 or more, a monoglyceride organic ester having an HLB of 8 or more and a sorbitan fatty acid ester having an HLB of 8 or more.

12. (previously presented) The composition as claimed in Claim 11, wherein a weight ratio of the aqueous phase to the oil phase ranges between 80:20 and 15:85.

13. (currently amended) A water-in-oil emulsion composition comprising ~~at least one member selected from the group consisting of fats, oils and mixtures thereof, said composition further comprising~~ an aqueous phase ~~based on~~ comprising water and an oil phase, ~~said oil phase comprising at least 15% by weight of at least one diglyceride wherein said weight percent is based on a total weight of said oils, fats or mixtures thereof~~ oil phase; a demulsifier; and at least one flavor component,

wherein at least 30% by weight of said composition is capable of reversing in phase within one minute after being introduced into water at 36°C; and

wherein said demulsifier is at least one member selected from the group consisting of a polyglycerol fatty acid ester having HLB of 7 or more, a water soluble decomposed protein, a sucrose fatty acid ester having an HLB of 5 or more, a monoglyceride organic ester having an HLB of 8 or more and a sorbitan fatty acid ester having an HLB of 8 or more.

SUPPORT FOR THE AMENDMENTS

Support for the amendment to Claim 7 is found in Claim 10 as originally presented. Applicants have corrected the obvious typographical error, identified by the examiner on page 3 of the specification. No new matter would be added to this application by entry of this amendment.

Upon entry of this amendment Claims 7-9 and 11-13 will now be active in this application.

REQUEST FOR RECONSIDERATION

The present invention is directed to a water-in-oil emulsion as well as a process of preparing the same in which the oil phase of the emulsion comprises at least 15% by weight of diglyceride, at least one flavor component and a demulsifier specified.

Applicants wish to thank Examiner Paden for indicating that the claims are free of the prior art and that Claim 10 would be allowable if rewritten to overcome the rejections under 35 U.S.C. § 112, second paragraph. Claim 7 has been rewritten to recite emulsifiers from the group of those from Claim 10, with the exception of lysolecithin, as well as to recite "a process for preparing a water-in-oil emulsion". Claim 7 has also been rewritten to improve the grammatical structure of the claim. Claims 7, 11 and 13 have further been amended to recite the presence of a flavor component and an amount of emulsifier.

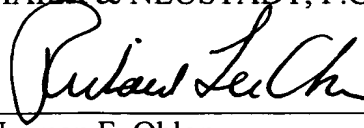
Applicants have corrected the typographical error identified by the Examiner on page 3 of the specification.

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Reply to Office Action of November 25, 2003.

Applicants submit this application is now in condition for allowance and early notification of such action is earnestly solicited.

Respectfully submitted,

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